

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3169

IN THE MATTER OF:

Served May 13, 1988

Application of AMERICAN COACH)
LINES, INC., for Special)
Authorization to Perform Charter)
Operations Pursuant to Contract --)
NRC)

Case No. CP-88-05

By application filed May 10, 1988, American Coach Lines, Inc. ("ACL"), seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with the United States Nuclear Regulatory Commission ("NRC") transporting employees of NRC and the federal government and persons traveling on official business with NRC and the federal government between 4350 East West Highway, Bethesda, Md.; 4550 Montgomery Avenue, Bethesda, Md.; 7920 Norfolk Avenue, Bethesda, Md.; 8120 Woodmont Avenue, Bethesda, Md.; Bethesda Metro Station, Bethesda, Md.; 5650 Nicholson Lane, Rockville, Md.; and 11555 Rockville Pike, Rockville, Md.

By its terms the contract commences June 1, 1988, and expires May 31, 1989, with two options to renew. NRC has contracted with ACL to provide local shuttle service and express shuttle service at a specified rate for each round trip. Service is to be available between 7:15 a.m. and 4:45 p.m., Monday through Friday, except federal holidays. Three vehicles will be dedicated to the proposed service. The contract requires vehicles with a minimum seating capacity of 20 passengers, excluding the driver, equipped with two-way radios or cellular telephones. With the application, ACL submitted an equipment list describing a fleet of 34 coaches and ten 21-passenger vehicles.

ACL is a District of Columbia corporation which currently holds WMATC Certificate No. 1. Through its chief operating officer ACL states that it is familiar with the terms of the Compact and the Commission's rules and regulations and "... will comply therewith with respect to operations to be performed under this special certificate." There is no proceeding (to applicant's knowledge) either completed or pending before the Maryland Public Service Commission, the Interstate Commerce Commission, or the United States Department of Transportation as a result of which ACL has been found unfit or in which its fitness is under investigation. ACL's fitness is currently under investigation by this Commission in Case No. MP-87-08.

ACL's balance sheet dated February 28, 1988, shows current assets of \$1,262,780, total assets of \$1,879,097, current liabilities of \$1,076,008, long-term liabilities of \$595,242, and equity of

\$203,847. For the nine months ended February 29, 1988, ACL shows net profit of \$111,600 on operations of \$2,534,988, ACL failed to provide a statement of revenue and revenue deductions pertaining to the instant contract as required by Commission Regulation No. 70; it will be directed to remedy that deficiency.

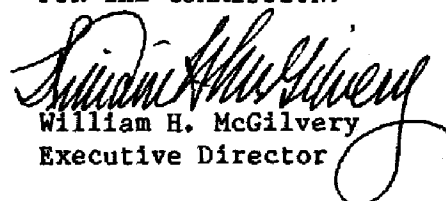
The contracting officer for NRC submitted an affidavit stating that NRC has been using The Airport Connection, Inc., to provide the service in the past, that the persons to be transported by the service are NRC employees, employees of other government agencies traveling on official government business, and other personnel authorized in writing by the NRC project officer to use the shuttle. NRC has conducted an investigation of ACL and is satisfied that it has the necessary qualification, experience, buses, and personnel to provide the services required "... provided it obtains the proper authority from the Washington Metropolitan Area Transit Commission."

Inasmuch as there is a contract with the federal government for the transportation of employees of and persons traveling on official business with the federal government for a period in excess of 181 days, this application appears to be amenable to processing under Commission Regulation No. 70. See Order No. 2004, served June 20, 1979, and effective July 21, 1979. Pursuant to Commission Regulation No. 70-06, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn and notarized, and must contain all evidence and argument upon which the protestant would rely.

THEREFORE, IT IS ORDERED:

1. That American Coach Lines, Inc., publish once, in a newspaper of general circulation in the Metropolitan District, notice of this application in the form prescribed by the staff of the Commission no later than Monday, May 16, 1988.
2. That American Coach Lines, Inc., shall file an affidavit of such publication and a statement of revenue and revenue deductions applicable to the proposed contract operations with the Commission no later than Thursday, May 26, 1988.
3. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Commission, Suite 316,, 1625 I Street, N.W., Washington, D.C. 20006, no later than Thursday, May 26, 1988, and shall simultaneously serve a copy of such protest on counsel for applicant, Leonard A. Jaskiewicz, Esq., 1730 M Street, N.W., Suite 501, Washington, D.C. 20036.

FOR THE COMMISSION:


William H. McGilvery
Executive Director